

TELEPHONIC INTERVIEW SUMMARY

On June 19, 2009, Applicants' representative Ron Laby held a telephonic interview with Examiner David Fox regarding the pending enablement rejection. The Examiner indicated that the enablement rejection would be withdrawn, as was being done in co-pending U.S. Application Serial Nos. 11/151,700 and 11/501,565 in view of a telephonic interview of June 15, 2009 held between Applicants' representative Robert Hanson and Examiner David Fox. In particular, enablement was acknowledged in view of arguments of record showing that, even if it was assumed for purposes of argument that initial transformation was enabled only for specific genotypes as asserted, which Applicants in no way concede, any genotype of transgenic corn plant was enabled because a transgene could routinely be introgressed into plants of any other genotype by plant breeding once having been produced. Thus, agreement was reached to withdraw the enablement rejection. Applicants thank the Examiner for the time taken during the call.